

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

BETTY G. JARRELL,

Plaintiff-Appellant.

v.

No. 98-1168

SOCIAL SECURITY ADMINISTRATION,

Commissioner,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of North Carolina, at Greensboro.
N. Carlton Tilley, Jr., District Judge.
(CA-96-789-2)

Submitted: July 28, 1998

Decided: March 23, 1999

Before WILLIAMS, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

H. Russell Vick, Greensboro, North Carolina, for Appellant. Frank
W. Hunger, Assistant Attorney General, Walter C. Holton, Jr., United
States Attorney, Mary Ann Sloan, Chief Counsel, Region IV, Haila
Naomi Kleinman, Acting Branch Chief, John C. Stoner, Assistant
Regional Counsel, Office of General Counsel, SOCIAL SECURITY
ADMINISTRATION, Atlanta Georgia, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

This case arises from a denial of Social Security benefits. In December 1993, Betty G. Jarrell, a fifty-three year old female with relevant work experience as an order filler and a quilt/comforter stuffer, filed applications for disability benefits and supplemental security income alleging disability due to bronchitis, chronic obstructive pulmonary disease, depression, nerves, borderline intellectual functioning, and an ulcer. The applications were denied and an Administrative Law Judge ("ALJ") found Jarrell not disabled after a hearing on March 1, 1995. The Appeals Council declined Jarrell's request to review the ALJ's decision, thereby making the ALJ's decision the final decision of the Commissioner. See 20 C.F.R. § 404.981 (1998). Jarrell then filed a civil action seeking review of the denial of the benefits. A magistrate judge recommended affirmation, and the district judge adopted the recommendation and affirmed the Commissioner's decision. This appeal followed.

This Court must determine whether the Commissioner's findings are supported by substantial evidence, Richardson v. Perales, 402 U.S. 389, 401 (1971), and whether the correct legal standards were applied. Hays v. Sullivan, 907 F.2d 1453, 1456 (4th Cir. 1990). Substantial evidence is that evidence which a "reasonable mind might accept as adequate to support a conclusion." Perales, 402 U.S. at 401 (internal quotations omitted). Jarrell attributes the following errors to the Commissioner's decision: (1) the ALJ did not fully develop the record and did not adequately assist Jarrell in the development of her case; and (2) the ALJ erred in finding that her various impairments did not meet or equal the criteria in Medical Listing 12.05C. Because of these alleged errors, Jarrell asserts the Commissioner's decision was not supported by substantial evidence.

We have reviewed the record, briefs, and pertinent case law in this matter. Our review persuades us that the district court correctly found

that the Commissioner's decision denying benefits is based on substantial evidence. Accordingly, we affirm on the reasoning of the district court opinion adopting the recommendation of the magistrate judge. Jarrell v. Social Security Admin., No. CA-96-789-2 (M.D.N.C. Dec. 30, 1997). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED